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September 28, 2015

Via ECF

Honorable Jose L. Linares, U.S.D.J.
United States District Court
Martin Luther King Federal Building
50 Walnut Street
Newark, New Jersey 07102

Re: *DeFiesta v. Volkswagen Group of America*
Civil Action No. 15-7012 (JLL)(JAD)

Minkina v. Volkswagen Group of America
Civil Action 15-7020 (JLL)(JAD)

Ghezzi v. Volkswagen Group of America
Civil Action No. 15-7035 (JLL)(JAD)

Stein v. Volkswagen Group of America
Civil Action No. 15-7052(JLL)(JAD)

Williams and McGrath v. Volkswagen Group of America and Volkswagen AG
Civil Action No. 15-7053(JLL)(JAD)

Levin v. Volkswagen Group of America
Civil Action No. 15-6985 (JLL)(JAD)

Criston v. Volkswagen Group of America
Civil Action No. 15-6988(JLL)(JAD)

Dear Judge Linares:

This firm, along with others, represents numerous Plaintiffs in several of the above Volkswagen class actions and other similar cases pending before Your Honor. I write in response to the letter filed today by Mr. DePalma concerning the appointment of interim Co-Liaison Counsel.

We proposed an interim appointment of Co-Liaison Counsel to Your Honor that enjoyed universal support from all Plaintiffs' counsel. While defendants have taken no formal position

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on the appointment, all parties and the Court will undoubtedly benefit from the appointment as it will facilitate communications between the plaintiffs and the defendants. There are already dozens of plaintiffs' attorneys who have begun the process of cooperating and coordinating through the appointment of proposed interim liaison counsel, which will cut down upon unnecessary and duplicative communications with the Court and the defendants. In addition, additional cases are being filed every day and cases will undoubtedly continue to be filed until all are ultimately centralized and coordinated by the Judicial Panel on Multidistrict Litigation following the December 3, 2015 hearing. As such, having a central contact now is clearly in the interest of all.

During the past week my firm and colleagues from other firms around the country have collaborated successfully and worked efficiently in the spirit of Rule 1 and the guidelines set forth in the Manual for Complex Litigation to advance the pending actions. Collectively, we have devoted hundreds of hours since the first action was filed to move the cases forward efficiently and expeditiously. These efforts would not have been possible without a focal point for communications and an organized structure. This firm and Mr. Seeger's firm have undertaken the effort with universal support.

Mr. DePalma opposes the application. His lone protest was made *after* we had already successfully organized the plaintiffs' cases here, communicated and coordinated with defendants' attorney, and made important applications to the Court to benefit the entire case.

Nothing in Mr. DePalma's letter, which came as a surprise, should interfere with the requested appointment. It is a sensible approach followed by many other judges in comparable situations including, by way of example only, *In re General Motors LLC Ignition Switch Litigation* and *In re Toyota Motor Corp. Unintended Acceleration Marketing, Sales Practices, and Products Liability Litigation*. Mr. DePalma's letter (apparently with the support of one other plaintiffs' counsel) presents no legitimate reason to delay organization of the cases.

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Accordingly, given the clear benefits of organizing the actions sooner rather than later and the absence of any harm to any litigant or party pending a decision by the Judicial Panel on Multidistrict Litigation, we respectfully submit that the Court should grant our application to appoint interim Co-Liaison Counsel.

Thank you for Your Honor's attention.

Respectfully submitted,

CARELLA, BYRNE, CECCHI,
OLSTEIN, BRODY & AGNELLO

/s/ James E. Cecchi

JAMES E. CECCHI

cc: Honorable Joseph A. Dickson, U.S.M.J. (Via ECF and Federal Express)
All Counsel (via ECF)